

Introduced by: Councilmember Elrich

First Reading: February 9, 2004

Second Reading: February 23, 2004

Effective Date: February 23, 2004

ORDINANCE NO. 2004-6

**Technical Amendments to the *Takoma Park Code*,
Chapter 6, Housing, and Chapter 12, Trees and Vegetation**

WHEREAS, the Council is reviewing the provisions of the Takoma Park Code as part of the City of Takoma Park's ongoing recodification project; and

WHEREAS, the Council revised Chapters 6 and 12 of the Code in 2003; and

WHEREAS, the Council has determined that certain technical amendments will facilitate the administration and enforcement of the Chapters.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, that, effective immediately, *Takoma Park Code*, Chapters 5 and 12, are amended as follows.

TAKOMA PARK CODE

CHAPTER 6. HOUSING.

ARTICLE 6. COMMISSION ON LANDLORD-TENANT AFFAIRS.

Sec. 6-600. Establishment.

The City of Takoma Park Commission on Landlord-Tenant Affairs is hereby established. The Commission shall consist of at least seven (7) but no more than twelve (12) active members appointed by the Council. The Council shall make every effort to ensure that the Commission has representation from landlords, tenants and homeowners.

CHAPTER 12. TREES AND VEGETATION

ARTICLE 3. URBAN FOREST

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Sec. 12-312. Violations and penalties; enforcement.

(a) Municipal infractions. Any of the following shall be a Class AA municipal infraction:

~~A 1.~~ Doing any ~~of the~~ acts for which a permit is required under Section 12-303 or 12-304, or performing any such act in relation to a dead or hazardous urban forest tree, without a valid permit or permit waiver applying for a permit, after an application for a permit has been denied, or after applying for a permit but before a permit has been issued, unless a permit waiver covering the act has been issued or the act is described in Section 12-303(b) or 12-304 (b).

B 2. Failure to fulfill any of the requirements of Section 12-309.

~~C 3.~~ Any violation of a decision or order of the Tree Commission, including, but not limited to, the violation or nonperformance of conditions imposed in connection with the issuance of a permit.

4. Any violation of a requirement of a tree permit or tree protection plan.

5. Any violation of a condition imposed in connection with the issuance of a tree permit or tree protection plan permit.

* * *

(f) Fines collected for violations of this article shall be deposited in the City's tree planting fund.

Adopted this 23rd day of February, 2004, by roll-call vote as follows:

Aye: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams

Nay:

Absent:

Abstain:

Additions to the Code are underlined. Deletions are in ~~strike out~~.